

EXHIBIT B



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**Via U.S. first class mail
& electronic mail**

Latifah Ali
Allianz Global Corporate & Specialty
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Re: Our Client: Yancey Taylor
Insured: Frontier Airlines
Date of Loss: 12/05/2016
Claim number: AL073590M

Dear Ms. Ali:

As you are aware, the law offices of Friday & Cox LLC represent Yancey Taylor regarding personal injuries and damages he sustained on December 5, 2016, as a passenger on Frontier Airlines flight 1093. This correspondence is our client's formal demand package. Enclosed are the following documents:

- Henderson Hospital Emergency Department records;
- Tri-State Neurosurgery records
- The Orthopedic Group, Inc. records
- OSPTA Physical & Hand Therapy records
- March 4, 2018, Narrative Report of Vincent Miele, M.D.; and
- Pennsylvania Department of Human Services lien.

On December 5, 2016, Mr. Taylor was a restrained passenger seated in row D-17 of Frontier Airlines flight 1093 from Pittsburgh, Pennsylvania to Las Vegas, Nevada. Approximately two hours into the flight, one of the flight attendants carelessly rammed a beverage cart into Mr. Taylor's right knee, while performing the in-flight beverage service. Immediately prior to this incident, Mr. Taylor was sleeping and the force of the impact startled him, causing his head and neck to violently strike the seat back. As a result, Mr. Taylor sustained

permanent and serious right knee and neck injuries, requiring surgical repair, which is set forth in more detail below.

Liability on the part of your insured is clear and unequivocal. The liability of an aircraft owner carrying passengers for injury to the passengers is determined by the applicable principles of tort law in Pennsylvania arising out of similar relationships. 74 Pa. Con. Stat. Ann. § 5503(b). A common carrier owes its passengers the duty of exercising the highest degree of care. 3 Summ. Pa. Jur. 2d Torts § 29:4 (2d ed.). In accordance with the general rule, a common carrier by air, such as Frontier Airlines, owes its passenger the duty of exercising the highest degree of care. § 28:7. Here, Frontier Airlines breached that high degree of care owed to Mr. Taylor while transporting him from Pittsburgh to Las Vegas. Indeed, the negligent and careless acts and/or omissions of one or more of Frontier's flight attendants is the direct and proximate cause of Mr. Taylor's injuries.

As a result of your insured's negligence, Mr. Taylor suffered permanent and serious right knee and neck injuries, requiring surgical repair. Immediately following this incident, Mr. Taylor complained of right knee pain and neck pain, which is documented in the McCarran International Airport ASC log.

Mr. Taylor was taken emergently to Henderson Hospital where he was diagnosed with a contusion of the right knee and knee pain. At that time, Mr. Taylor was provided with narcotic pain relievers and directed to follow-up with an orthopedist upon his return to Pittsburgh. Mr. Taylor was then evaluated by Vincent Miele, M.D. for complaints of left-sided neck pain, headaches, intermittent confusion, dizziness, etc., following a "closed head injury". Imaging studies revealed central spinal canal stenosis, spinal cord compression, and compression of the C5-C6 nerve roots. Given Mr. Taylor's subjective complaints and spinal cord compression, Dr. Miele recommended an anterior cervical discectomy fusion and plating of C5-C6 vertebrae. On August 28, 2017, Mr. Taylor underwent the aforesaid discectomy with fusion and plating, which was accomplished without complication. Thereafter, Mr. Taylor was referred to OSPTA for 4 weeks of physical therapy, which he completed in November 2017.

After recovering from neck surgery, Mr. Taylor sought treatment for the injuries to his right knee with orthopedist Scott Baron, M.D. Dr. Baron's treatment records indicate the Mr. Taylor's initial injury was likely ligamentous and/or a meniscal tear, but progressed into significant posttraumatic arthritis of the right knee. Dr. Baron initially recommended conservative care, including Depo-Medrol injections. Imaging studies dated August 14, 2017, showed a complete loss of medial joint space and mild medial tibial plateau defects with significant narrowing at the patellofemoral joint. After conservative care failed to provide Mr. Taylor relief, Dr. Baron recommended he undergo arthroscopy. On February 28, 2018, Dr. Baron performed a diagnostic arthroscopy, partial medial meniscectomy, and injection, which was well tolerated. Dr. Baron's records indicate that Mr. Taylor will need a total right knee arthroplasty in the near future.


By letter dated March 4, 2018, Dr. Miele confirmed that Mr. Taylor was asymptomatic prior to the December 5, 2016, incident on flight 1093. Dr. Miele opined that Mr. Taylor's intractable neck pain and subsequent surgery were causally related to striking his head on the seat back after being struck by the beverage cart.

To date, as one would expect, Mr. Taylor continues to suffer from residual symptoms including pain and weakness in his right knee and pain and stiffness in his neck. Again, the injuries Mr. Taylor suffered are permanent in nature. Due the severity of his injuries, Mr. Taylor has been unable to enjoy the pleasures of life and pursue gainful employment. At or about the time of this incident, Mr. Taylor was in the process of starting Taylor Youth Basketball, a non-profit corporation dedicated to teaching at risk youth basketball. To date, he has been unable to pursue this endeavor.

As a result of Mr. Taylor's treatment, there is a Pennsylvania Department of Human Services lien in the amount of \$27,296.47. The "face value" of the medical treatment Mr. Taylor received was much greater, costing in excess of \$111,000.00.

In light of your insured's liability, and the considerable pain, suffering, and inconvenience Mr. Taylor suffered, we are authorized to accept \$250,000 to resolve his claim. Please keep in mind that the lien asserted by PA DHS of \$27,296.47 must be paid out of any settlement. I ask that you acknowledge this settlement demand in writing at your convenience. Should you have any questions, please feel free to contact me.

Very truly yours,



Kevin S. Burger
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KSB/cmw

Enclosure

cc: Yancey Taylor (*via email w/o encl.*)